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EXAMINER

ALBERTALLI, BRIAN LOUIS

ART UNIT

PAPER NUMBER

2626

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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

09/717,822

Applicant(s)

JOKIPII, ERON A.

Examiner

Brian L. Albertalli

Art Unit

2626

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 05 March 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-33 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-18 and 26-33 is/are allowed.
- 6) ☒ Claim(s) 19,20,24 and 25 is/are rejected.
- 7) ☒ Claim(s) 21-23 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments, see the Appeal Brief, filed 5 March 2007, with respect to the rejection(s) of claim(s) 1-31 have been fully considered and are persuasive.

Specifically, there is a lack of motivation to combine Atkin with White (see, e.g., page 9 of the Appeal Brief). Additionally, independent claims 19, 26, and 28-33 were not properly addressed in the Final Office Action (these claims were grouped together with claim 1, though they differ in scope).

Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Portilla (U.S. Patent 6,901,361).

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 19, 20, 24, and 25 are rejected under 35 U.S.C. 102(e) as being anticipated by Portilla (U.S. Patent 6,901,361).

In regard to claim 19, Portilla discloses a system comprising:

a communications network (Fig. 1, 10) connecting at least one of a plurality of network servers (central computer unit 20, column 2, lines 1-3) and at least one of a plurality of computers (computer terminals 40, the computer terminals 40 communicate through central computer unit 20, column 2, lines 4-10):

wherein at least one of the plurality of network servers comprises a server conversion table (Fig. 2, table assembled in central computer unit 20, column 3, lines 21-25);

a unique key value for each of a plurality of unique words or phrases (see Fig. 2, leftmost column; index values, column 2, lines 11-33);

a language key for at least one language (see Fig. 2, English column heading and Spanish column heading);

a plurality of text phrases each corresponding to a language key and a unique value (see Fig. 2, e.g. "house" corresponding to the English language key and unique value 100,001 and "casa" corresponding to the Spanish language key and unique value 100,001); and

wherein the network server is programmed to receive a word or phrase from one of the at least one of a plurality of computers and convert the word or phrase using the server conversion table (terminals 40 communicate through computer unit 20 in their respective languages once the table is assembled, column 2, lines 4-10 and column 3, lines 21-24).

In regard to claim 20, Portilla discloses the conversion table comprises language keys and text phrases for more than one language (English and Spanish, see Fig. 2).

In regard to claim 24, Portilla discloses the network server is programmed to convert the unique key value into a phrase corresponding to a language key for a second of the at least one of a plurality of computers using the server conversion table and transmitting the phrase to a second computer (each computer 40 is associated with a language, column 2, lines 4-10; the conversion table on central computer unit 20 converts phrases from one language to another, column 3, lines 20-24; by matching indexed entries corresponding to the receiving computer, column 4, lines 20-24).

In regard to claim 25, Portilla discloses the conversion table comprises language keys and text phrases for more than one language (English and Spanish, see Fig. 2).

#### ***Allowable Subject Matter***

4. Claims 1-18 and 26-33 are allowed.
5. The following is an examiner's statement of reasons for allowance:

The system/method disclosed by Portilla teaches storing the conversion table on the network server (central computer 40, column 3, lines 20-24). Therefore, it is the network server that performs conversion from a first language to a second language using the conversion table. The server then "punts" the converted "information element"

(i.e. a word or phrase) to one of the computer units 20. The computer units 20 do not store a conversion table in the system/method of Portilla.

Independent claim 1 requires at least one of the plurality of computers (other than the network server) comprising a conversion table to receive the selection of a word or phrase, convert the word or phrase into a unique key using the conversion table and to transmit the unique key to the server. Since the system/method of Portilla performs all conversions on the network server (central computer 40), Portilla does not teach, and does not reasonably suggest, storing a conversion table on one of the plurality of computers (computer units 20) for converting a selected phrase to a unique key value and sending the unique key value to the server. Thus, claims 1-18 are allowed.

Similarly, independent claims 26 and 28-33 each require at least one of the plurality of computers (other than the network server) to comprise a conversion table having a plurality of words or phrases corresponding to a language key and a unique key value. Since the system/method of Portilla performs all conversions on the network server (central computer 40), Portilla does not teach, and does not reasonably suggest, storing a conversion table on one of the plurality of computers. Thus claims 26-33 are allowed.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

6. Claims 21-23 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

7. The following is a statement of reasons for the indication of allowable subject matter:

Claim 21 requires the conversion table comprises text phrases for only one language. Portilla expressly teaches that the conversion table disclosed is for the purposes of language translation (i.e. conversion from a first language to a second language). There is no teaching or suggestion in Portilla for filling the conversion table with phrases in only one language.

Claim 22 requires the network server transmits a unique key value to a second one of the computers. As discussed above, Portilla discloses all conversions are performed on the server (central computer 20) and the converted information elements (i.e. words or phrases) are "punted" to a second one of the computers. Thus there is no teaching or suggestion of transmitting a unique key value (rather than the phrase associated with the unique key value) to a second one of the computers.

### ***Conclusion***


8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian L. Albertalli whose telephone number is (571) 272-

7616. The examiner can normally be reached on Mon - Fri, 8:00 AM - 5:30 PM, every second Fri off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Hudspeth can be reached on (571) 272-7843. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

BLA 6/21/07



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